

THE 1999-00 GOVERNOR'S BUDGET FOR: CRIMINAL JUSTICE

DEPARTMENT OF CORRECTIONS

The mission of the California Department of Corrections (CDC) is to provide for the control, care and treatment of men and women who have been convicted of serious crimes. The CDC addresses its mission and mandate through four major program areas: Institutions, Health Care Services, Community Correctional Programs (primarily Parole Services) and Administrative Services. The CDC system includes:

- 33 institutions, including health care facilities providing medical, dental and mental health services to inmates;
- 11 reception centers for processing individuals into the system who have been sentenced to state prison;
- 12 community correctional facilities (facilities operated by non-CDC entities that house low level inmates);
- 38 fire and conservation camps (allowing CDC to provide inmate firefighters and other labor forces to the appropriate state agencies as circumstances require);
- the Richard A. McGee Correctional Training Center (where correctional officer cadets as well as other CDC personnel receive training); and
- 130 parole offices and four outpatient psychiatric service clinics.

The budget proposes \$4.2 billion for 1999-00. This represents an increase of \$127 million (3.2 percent) over the 1998-99 appropriation.

According to the department, the total inmate population as of December 1, 1998 reached 159,790 inmates. 148,285 (92.8 percent) were men, and 11,505 (7.2 percent) were women. To build the last budget enacted, the department projected a June 30, 1999 population of 165,916 persons (down from 168,105 estimated for June 1999 in the 1998 May Revise). The current budget proposal assumes a June 1999 inmate population of 164,419, a further decrease of 1,497 (0.9 percent).

Despite inheriting overstated revenue assumptions from its predecessor, the new administration has maximized limited resources and managed a tenable and responsive spending plan for the department. The budget reflects the new administration's commitment to making the safety of the public and its' employees the highest principle upon which to predicate each decision. Supporting this safety principle, each component of the department's budget are foundations of accountability, efficiency, vision and reasonableness.

The budget addresses issues long ignored, inadequately explored or simply dismissed. Specifically, it provides prevention and transition assistance to reduce the tendency amongst drug addicted and poorly prepared parolees to re-offend and return to prison. Further, it provides resources to meet the worsening mental health problems that have surfaced in institutions and parole regions, thereby increasing public and employee safety and preventing costly litigation. Additional measures to ensure litigation avoidance as well as public and institution safety include--funding for a review of officer training, increasing internal affairs resources, and addressing facility repair projects. The spending plan continues to pursue cost-effective alternatives to reduce overcrowding (i.e. versus building new prisons).

MAJOR PROPOSALS

The major proposals for the Department of Corrections include:

- \$10.9 million to increase mental health services and special housing units dedicated to this population in effort to minimize the unique risks that mentally ill inmates pose to themselves, other inmates, department staff and ultimately to the public.
- \$5 million to fund assessments of current correctional officer training. Pursuant to the administration's directive, specific training proposals developed from this review will be submitted to the Legislature for policy and funding consideration. This is an important first step to define and rectify concerns regarding adequate training that have plagued the department's staff and management for several years.
- \$1.9 million for increased internal affairs resources and an expansion of the ombudsman program. With this proposal, the new administration demonstrates its intent to eliminate any perceived or actual staff and managerial wrongdoing. Moreover, this augmentation should ensure that when discovered, misconduct is addressed appropriately and in a timely manner.
- \$21.4 million to increase the number of substance abuse treatment beds by 2,000. This proposal will provide increased after care services for graduates of the in-prison substance abuse treatment as a proactive measure to prevent relapses. It is expected that the program expansion will reduce the recidivism driven by the pervasive substance abuse problem that recycles many inmates back into the system soon after they parole.
- \$3 million to undertake a pilot program to assist drug-addicted women parolees with children. The program will offer these parolees specialized services such as child care to address the unique obstacles that impede the efforts of female parolees to succeed when they return to the community. This should increase the success rate of these individuals which in turn will result in lower costs and crime rates.

- \$1 million to support administrative tasks necessary to activate 2,000 additional Community Correctional Facility beds effective July 2000. These housing units will be constructed by private firms and upon completion will be leased to the state.
- \$7.8 million to begin 11 new capitol outlay projects. These projects include design funding for: replacement of cell windows at the California Medical Facility; perimeter fence improvements at the California Rehabilitation Center; a water purification system at the Robert J. Donovan Correctional Facility; engineering system improvements to address the TB\HIV conditions at California Institution for Men and the California Medical Facility; and a facilities master plan for the oldest institution in the system, San Quentin. These funding decisions preserve public and staff health and safety as well as California's standing capital investment in these facilities.

BOARD OF CORRECTIONS

The state's Board of Corrections (Board) oversees operation of the state's local jails and juvenile detention facilities. The Board establishes facility operation standards and inspects facilities biennially. Additionally, the board administers jail bonds and federal construction funds. The Board's mandate includes establishing staff training standards, and reimbursing local law enforcement agencies for the costs of training. Finally, the Board is responsible for the oversight of a number of juvenile justice grant programs that are conducted by the counties.

The budget for 1999-00 is approximately \$144 million. It reflects a \$75 million increase over the Board's 1998-99 final budget appropriation. This net increase is primarily driven by substantial appropriations providing increased funding for juvenile facility repair and construction, juvenile justice prevention grants, and mental illness related criminal activity grants. These programs are explained in more detail in the major proposal section below.

Through the Board of Correction's proposed budget, the new administration demonstrates a commitment to providing aid to local government despite the status of the General Fund. By phasing grant allocations over time pursuant to need demonstrated and benefit yielded, the new administration manages to find the resources to fund initiatives the prior administration did not have when it enacted the 1999-00 Budget Act. Through strategic and managerial discipline, the new administration has actually increased local finance relief and enhanced public safety despite the current adverse fiscal circumstances.

MAJOR PROPOSALS

The major proposals for the Board of Corrections include:

- \$20 million is anticipated in 1999-00 as the initial disbursement pursuant to Chapter 499, Statutes of 1998, County Juvenile Correctional Facilities Program, for distribution to counties to address the pressing need for construction or repair of juvenile facilities. This program will provide increased public safety and reduced costs to locals as counties will increase their capacity to house juvenile offenders in local facilities versus sending juvenile wards to the Youth Authority at significantly higher costs. A \$80 million spending authority balance remains to fund meritorious projects as they are identified.
- \$2 million reflecting initial disbursement of funds appropriated by Chapter 502, Statutes of 1998, Mentally Ill Offender Crime Reduction Grant Program (\$27 million total). These initial funds will provide counties with resources to develop innovative solutions to crime and costs driven by mentally ill offenders. The remaining \$25 million will be held so to be available to fund meritorious program proposals at a later date.
- \$36 million to expand the Juvenile Crime Enforcement and Accountability Challenge Grant Program. This program expansion offers competitive grants to counties and cities that develop programs that integrate and deploy local resources in innovative, collaborative ways to address juvenile justice priorities facing their communities.

DEPARTMENT OF THE YOUTH AUTHORITY

The Department of the Youth Authority is responsible for the protection of society from the criminal and delinquent behavior of young people (generally ages 12 to 24, average age 19). The department operates training and treatment programs that seek to educate, correct, and rehabilitate youthful offenders rather than punish them. The department operates 11 institutions, including two reception centers/clinics, and six conservation camps. In addition, the department supervises parolees through 16 offices located throughout the state.

The department projects an institution population of 7,725 by June 30, 1999, a decrease of 185 from earlier projections. Parolees are projected at 5,100 by June 1999, dropping to 5,060 by June 2000. Spending authority proposed for 1999-00 amounts to almost \$392 million reflecting a nominal increase of less than one percent over 1998-99.

MAJOR PROPOSALS

The major proposals for the Department of the Youth Authority include:

- \$1.3 million in various security enhancements that include: (1) enhanced entrance supervision at El Paso de Robles Youth Center which will reduce the risk posed to staff and visitors by inadequate monitoring of the pedestrian traffic in and out of the

facility; (2) upgrading metal detectors at all facilities which will enhance safety for staff and wards and; (3) upgrading the radio system at the Preston Youth Correctional Facility which will eliminate safety compromising transmission problems.

- \$792,000 to increase internal affairs resources. Like the similar proposal for the Department of Corrections, this proposal demonstrates the new administration's intent to eliminate any perceived or actual weaknesses/deficiencies in the internal affairs operations of this department by providing the necessary resources to identify and address staff and managerial wrongdoing where and when it exists.

DEPARTMENT OF JUSTICE

Under the direction of the Attorney General, the Department of Justice enforces state laws, provides legal services to state and local agencies, and provides support services to local law enforcement agencies. The department accomplishes its mission through many diverse programs ranging from its Legal Divisions and Crime Prevention programs to the Division of Law Enforcement, O.J. Hawkins Data Center and Criminal Justice Information Systems component and Division of Gambling Control.

The 1999-00 Department of Justice budget proposes 5,001 positions and \$480.5 million. This represents a change of less than one percent from the 1998-99 final appropriation. The major budget proposals reflect the recently elected Attorney General's desire to restore department focus and resources to areas and issues ignored and or neglected over the past eight years. Further, the new Attorney General's spending plan is responsive to a variety of emerging public safety issues as well as those that have consistently proven important to Californians. Themes and issues addressed in this budget include: restoring/expanding legal resources in defense of consumers, the environment, and civil rights; enforcing legislation that provides enhanced crime prevention and investigative capability; and bolstering criminal history and registry database and networking tools as well as California's general ability to protect its citizens and fight crime.

MAJOR PROPOSALS

The major proposals for the Department of Justice include:

- \$2.3 million via several augmentations to the legal divisions including: \$773,000 for the Civil Rights Enforcement Unit; \$734,000 to enhance the department's ability to address consumer law enforcement workload; and \$778,000 General Fund increase for the Natural Resources Law Section.

- \$5.1 million in total augmentations necessary to implement enacted legislation, including: **CAL-DNA workload:** \$4.9 million to address body fluid specimen and print analysis and necessary lab equipment to produce DNA profiles pursuant to the DNA Forensic Identification Data Base and Data Bank Act of 1998; and **Megan's Law:** \$182,000 to distribute the Megan's Law CD-ROM to law enforcement agencies on a monthly basis.
- \$4.5 million for the Tobacco Litigation Section (a \$9.2 million reduction in total spending authority from last year) for the purpose of enforcing the Master Settlement Agreement (and associated consent decrees) that have been reached with the six major tobacco companies. The tobacco settlement is estimated to generate \$25 billion for California over 25 years. See the section herein relative to Local Government and the selected issue sections in The Tobacco Settlement for details as to how the proceeds will be allocated between the State and Local Governments as well as other terms and issues.
- \$6.6 million (federal funds) to support several important law enforcement efforts including: \$4.5 million for the sharing of criminal history information under the National Criminal History Improvement Program Grant; \$1.2 million to implement an interface of state and national sex offender registries; and \$917,000 to continue support to local law enforcement agencies in the coordination of investigations and prosecution of drug-related crimes.
- \$3,980,000 (\$419,000 General Fund and \$3,551,000 Fingerprint Fee reimbursements) to implement the provisions of Chapter 311, statutes of 1998 to conduct federal applicant background checks on licensed child care providers and provide notification to the Department of Social Services.

OFFICE OF CRIMINAL JUSTICE PLANNING

The goal of the Office of Criminal Justice Planning (OCJP) is to improve the criminal justice system in California by providing financial and technical assistance to local governments, state agencies, and the private sector. Services provided by OCJP include but are not limited to: development of state-of-the-art approaches for crime prevention and victim services programs; administration of grant funding to local agencies and organizations; development and distribution of information on crime prevention and victim services; and coordination of information exchanges between criminal justice agencies and community organizations.

The budget proposes \$221.8 million for 1999-00. This is a 3.3 percent decrease relative to the 1998-99 appropriation for this department. The change for the most part reflects the grant programs that expire at the end of 1998-99.

The best way to consider this department is as a clearinghouse or “conduit” agency for public safety aid packages for cities and counties. The majority of funding the department processes to local government comes from the federal government. Because the department (under the last administration) was deemed unresponsive to (and by) the Legislature—its positive contributions to statewide public safety went largely unacknowledged, uncultivated and sometimes unknown. The transition to a new administration affords an opportunity to revisit and restructure the relationship between the department and the Legislature so that local government can more fully benefit from the department funding, services and expertise.

In addition to continuing many of the existing funding programs historically offered by this organization, the new administration has secured necessary funding to expand the various programs offered to counties and cities.

MAJOR PROPOSALS

The major proposals for the Office of Criminal Justice Planning include:

- \$11.3 million in federal funds to address significant Criminal Justice issues. These proposals demonstrate the new administration’s centrist, fiscally prudent strategies relative to crime victim advocacy (emphasis on domestic violence and female victims of violence) as well as witness support. These proposals include: \$1.5 million increase for domestic violence response teams and victim advocacy programs; and \$9.8 million to provide assistance to victims and witnesses of crime, and children.
- \$3.1 million in specially targeted law enforcement operations funding like the Rural Crime Prevention Program and the High Technology Theft Apprehension and Prosecution Program. These focused law enforcement-funding packages provide counties the resources to combat unique types of criminal activity that local governments are not able to adequately address unilaterally. As suggested by their titles, these aid packages for local government combat a range of growing and extremely costly specialized crime activity such as computer chip and hardware theft, internet abuse and electronic commerce fraud and theft of agricultural equipment, pesticides, chemicals and crops.